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| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|-----------------|-------------|----------------------|---------------------|------------------|
| 10/687,829 | 10/20/2003 | Christopher T. Rich | P68721US1 | 9907 |
| 136 | 7590 | 11/29/2004 | EXAMINER | |
| | | | ARK, DARREN W | |
| | | | ART UNIT | PAPER NUMBER |
| | | | 3643 | |

DATE MAILED: 11/29/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

| | | |
|--|--|---|
| Supplemental Notice of Allowability | Application No. 10/687,829 Examiner Darren W. Ark | Applicant(s) RICH ET AL. Art Unit 3643 |
|--|--|---|

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. This communication is responsive to IDS filed 8/23/04.
2. The allowed claim(s) is/are 1-18.
3. The drawings filed on 01 April 2004 are accepted by the Examiner.
4. Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) All b) Some* c) None of the:
 1. Certified copies of the priority documents have been received.
 2. Certified copies of the priority documents have been received in Application No. _____.
 3. Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.
THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

5. A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
6. CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) hereto or 2) to Paper No./Mail Date _____.
 - (b) including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.

Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7. DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. Notice of References Cited (PTO-892)
2. Notice of Draftperson's Patent Drawing Review (PTO-948)
3. Information Disclosure Statements (PTO-1449 or PTO/SB/08),
Paper No./Mail Date 8/23/04
4. Examiner's Comment Regarding Requirement for Deposit
of Biological Material
5. Notice of Informal Patent Application (PTO-152)
6. Interview Summary (PTO-413),
Paper No./Mail Date _____.
7. Examiner's Amendment/Comment
8. Examiner's Statement of Reasons for Allowance
9. Other _____.

Darren W. Ark
DARREN W. ARK
PRIMARY EXAMINER

| | | | |
|---|---------------------------|---------------------|--|
| Response to Rule 312 Communication | Application No. | Applicant(s) | |
| | 10/687,829 | RICH ET AL. | |
| | Examiner Darren W. Ark | Art Unit 3643 | |

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

1. The amendment filed on 05 August 2004 under 37 CFR 1.312 has been considered, and has been:

- a) entered.
- b) entered as directed to matters of form not affecting the scope of the invention.
- c) disapproved because the amendment was filed after the payment of the issue fee.
Any amendment filed after the date the issue fee is paid must be accompanied by a petition under 37 CFR 1.313(c)(1) and the required fee to withdraw the application from issue.
- d) disapproved. See explanation below.
- e) entered in part. See explanation below.

Darren W. Ark
Primary Examiner
Art Unit: 3643

REASONS FOR ALLOWANCE

1. The following is an examiner's statement of reasons for allowance:

In regard to claim 1, the prior art of record does not disclose a method for exterminating a pest using an electronic pest trap having a high-voltage rearming circuit with a pair of spaced killing plates, comprising the steps of: checking a stored trigger count to determine whether a sum of the killing cycle and a number of previous killing cycles performed by the circuit has reached a threshold value; initiating, in response to the sum being equal to the threshold value, a visual notification mode indicating manual service of the trap is required or, alternatively, in response to the sum being less than the threshold value, determining whether the known impedance is still sensed across the killing plates and either initiating, in response to continued sensing of the impedance, the visual notification mode or, in an absence of continued sensing of the impedance, rearming the trap to the active standby mode and repeating steps b) through f) until the threshold value is reached or a pest is exterminated.

In regard to claim 7, the prior art of record does not disclose an electronic pest trap comprising: means for checking a stored trigger count, the count indicating a number of previous killing cycles completed by the circuit, to determine whether a sum of the killing cycle and the stored trigger count has reached a threshold value; means for automatically rearming the circuit in response to the sum being less than the threshold value in combination with a negative load input from the sensing means; and means for initiating, in response to the sum being equal to the threshold value or to the

sum being less than the threshold value in combination with continued receipt of the positive load input from the sensing means, a visual notification mode indicating manual service of the trap is required.

In regard to claim 14, the prior art of record does not disclose a high-voltage automatic rearming circuit, coupled to a pair of killing plates which are separated by a space, for use in exterminating a pest, the circuit being open as a result of the space, comprising: means for checking a stored trigger count, the count indicating a number previous killing cycles completed by the circuit, to determine whether a sum of the killing cycle and the stored trigger count has reached a threshold value; means for automatically rearming the circuit in response to the sum being less than the threshold value in combination with a negative load input from the sensing means indicating the circuit is open, the circuit when automatically rearmed being capable of initiating another killing cycle in response to completion of the circuit by a pest across the killing plates; and means for initiating, in response to the sum being equal to the threshold value or to the sum being less than the threshold value in combination with continued receipt of the positive load input from the sensing means, a visual notification mode in which killing initiation is disabled.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

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Any inquiry concerning this communication or earlier communications from the examiner should be directed to Darren W. Ark whose telephone number is (703) 305-3733. The examiner can normally be reached on M-Th, 8:00am-6:30pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Peter M. Poon can be reached on (703) 308-2574. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Darren W. Ark
Primary Examiner
Art Unit 3643

DWA